HLS 03-98 ORIGINAL

Regular Session, 2003

HOUSE BILL NO. 583

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BY REPRESENTATIVE FARRAR

FUNDS/FUNDING: (Constitutional Amendment) Dedicates monies in the Lottery Proceeds Fund for support of the minimum foundation program

A JOINT RESOLUTION

## 2 Proposing to amend Article XII, Section 6(A) of the Constitution of Louisiana, relative to the Lottery Proceeds Fund; to require annual appropriation 3 of certain monies in the Lottery Proceeds Fund for the minimum 4 foundation program; to provide for an effective date; to provide for 5 submission of the proposed amendment to the electors; and to provide 6 7 for related matters. 8 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of 9 the members elected to each house concurring, that there shall be submitted to 10 the electors of the state of Louisiana, for their approval or rejection in the 11 manner provided by law, a proposal to amend Article XII, Section 6(A) of the Constitution of Louisiana, to read as follows: 12 §6. Lotteries; Gaming, Gambling, or Wagering 13 Section 6.(A) Lotteries. (1) The legislature may provide for the 14

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creation and operation of a state lottery and may create a special

corporation for that purpose whose employees shall not be subject to

state civil service. The net proceeds from the operation of the lottery

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shall be deposited in a special fund created in the state treasury entitled the Lottery Proceeds Fund. Amounts deposited in the fund shall not be appropriated for expenditure in the same calendar year in which they are received. The legislature may shall annually appropriate from the fund for any purpose. only for the purposes of the minimum foundation program.

(2) A law providing for the creation and operation of a state lottery, once enacted, may be modified only by a law enacted by

- (2) A law providing for the creation and operation of a state lottery, once enacted, may be modified only by a law enacted by two-thirds of the elected members of each house but may be repealed in its entirety by a law enacted by a majority thereof. If such a law has been repealed, the legislature thereafter may provide for the creation and operation of a state lottery only by law enacted by two-thirds of the elected members of each house.
- (3) No state general funds may be expended for the primary purpose of inducing persons to participate in the lottery. However, state general funds may be expended for the purpose of reasonably informing the public solely about the following factors pertaining to the operation and administration of the lottery:
  - (a) The type or types of lottery to be conducted.
  - (b) The price or prices of tickets or shares in the lottery.
  - (c) The numbers and sizes of prizes.
  - (d) The approximate odds of winning.
- (e) The manner of payment.
  - (f) Frequency and time of awarding of prizes.
  - (g) Location of sites for sale of tickets or shares and sites of determination of winners and awarding of prizes.

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(4) No political subdivision of the state shall authorize or 1 2 conduct a lottery. 3 Section 2. Be it further resolved that the provisions of this amendment 4 shall become effective on July 1, 2004. 5 6 Section 3. Be it further resolved that this proposed amendment shall be 7 submitted to the electors of the state of Louisiana at the gubernatorial primary election to be held in 2003. 8 9 Section 4. Be it further resolved that on the official ballot to be used at 10 said election there shall be printed a proposition, upon which the electors of 11 the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows: 12 13 To require that monies in the Lottery Proceeds Fund shall be 14 annually appropriated by the legislature for the minimum foundation program of education for public elementary and 15 secondary schools. (Effective July 1, 2004) (Amends Article 16 17 XII, Section 6(A))

## **DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Farrar HB No. 583

**Abstract:** Dedicates net lottery proceeds to support of the minimum foundation program.

<u>Present constitution</u> authorizes creation of a state lottery by the legislature and provides that the net proceeds of such lottery be deposited into the Lottery Proceeds Fund, which is a special fund in the state treasury. Monies in the fund are available for appropriation for any purpose, but may not be appropriated in the same calendar year in which they are received.

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<u>Proposed constitutional amendment</u> retains <u>present constitution</u> except requires annual appropriation of available monies in the Lottery Proceeds Fund solely for the purposes of the minimum foundation program.

Provides for submission of the proposed amendment to the voters at the gubernatorial primary election to be held in 2003.

Effective July 1, 2004.

(Amends Const. Art. XII, §6(A))